

Exhibit C

EXHIBIT D TO STROILI DECLARATION

Peter Stroili

From: Cook, Christopher T. <christopher.cook@katten.com>
Sent: Wednesday, November 30, 2022 12:40 PM
To: Kevin Windels
Cc: Peter Stroili; Matthew Lee; Marks, Jonathan L.; Cardoza, Michael L.
Subject: RE: State Farm v. Metro Pain

[EXTERNAL SENDER]

Kevin,

Preliminarily, State Farm disagrees with your “concern[] about the presentation and absence of any organization of” State Farm’s document production and suggestion that State Farm has included “documents which have nothing to do with claims made to State Farm.” State Farm has produced and will be producing documents responsive to the requests served upon it and relevant to the case. Under the Rules, State Farm is not required to take additional steps to organize the documents and need only produce materials in the manner in which they are kept in the ordinary course. Nevertheless, we have taken additional steps to make review easier. Each production contains a load file that identifies for each document within the production the document type, the claim file number associated with the document (if applicable), and the associated Bates numbers. To the extent you or your team are having difficulty accessing or identifying these load files, please let us know and we would be happy to arrange an opportunity for your people to speak with someone who can walk them through how the documents are organized and identified.

As to State Farm’s remaining document productions, we anticipate producing the vast majority of outstanding records by December 16. This includes records from relevant claim files, investigative files, electronic communications, draft endorsements, and public records. The only items that will not be produced by December 16 are (a) some emails and (b) some claim file print records, which are a subset of claim file records. All, or virtually all, of these two limited groups of records should be produced by December 31. If we have any issue with respect to completing production of these two limited groups of records by year-end, we will advise you. As you know, to date, State Farm has produced more than 1 million pages of records. The remaining records represent a small fraction of what will be its total production.

Finally, Dr. Shapiro, Metro Pain, and Tri-Borough have not completed their document productions. Per Mr. Lee’s November 10 email, we understand your firm is (a) investigating the status of documents bearing the Bates range MP0028132 – MP0045000, (b) preparing to produce the documents bearing the Bates range MP0069320-MP0069817, but has not yet done so, and (c) conferring with Dr. Shapiro as to the status of communications concerning Jelani Wray and Law Cash Advances (which we were unable to locate in your productions, despite document responses indicating such communications had been produced). There also appear to be other gaps in their productions received to date. Please provide a date by which your clients will complete their production of responsive records and, as needed, provide amended discovery responses.

Regards,
Chris

Christopher T. Cook
Counsel

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From: Kevin Windels <kwindels@kdvlaw.com>
Sent: Tuesday, November 29, 2022 12:25 PM
To: Cook, Christopher T. <christopher.cook@katten.com>
Cc: Peter Stroili <pstroili@kdvlaw.com>; Matthew Lee <mlee@kdvlaw.com>
Subject: RE: State Farm v. Metro Pain

EXTERNAL EMAIL – EXERCISE CAUTION

Chris, Following up on my below email, please advise when we can expect to receive the remainder of State Farm's document production, including the categories of the documents that State Farm is going to produce. Thanks.

Kevin Windels
Of Counsel




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From: Kevin Windels <kwindels@kdvlaw.com>
Sent: Wednesday, November 23, 2022 11:07 AM
To: Cook, Christopher T. <christopher.cook@katten.com>
Cc: Peter Stroili <pstroili@kdvlaw.com>; Matthew Lee <mlee@kdvlaw.com>
Subject: RE: State Farm v. Metro Pain

Chris, Thank you for your below email. We need a fulsome explanation of what is left and when production will be fully completed as there appears to be significant gaps in the production. We are also quite concerned about the presentation and absence of any organization of your clients' documents and even the inclusion of certain claims related documents which have nothing to do with claims made to State Farm. We are also concerned with the timing of State Farm's rolling productions in view of the upcoming discovery deadlines that we are all facing. Please respond on these issues by early next week.

On a more cheerful note, I wish you and your family a Happy Thanksgiving! Kevin

Kevin Windels
Of Counsel



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From: Cook, Christopher T. <christopher.cook@katten.com>

Sent: Wednesday, November 23, 2022 10:55 AM

To: Kevin Windels <kwindels@kdvlaw.com>

Subject: RE: State Farm v. Metro Pain

[EXTERNAL SENDER]

Kevin, I'm out of the office for the holiday, but will catch up with the team early next week and advise on when we anticipate completing our production. Hope you have a nice holiday weekend.

Christopher T. Cook
Counsel

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From: Kevin Windels <kwindels@kdvlaw.com>

Sent: Tuesday, November 22, 2022 6:18 PM

To: Cook, Christopher T. <christopher.cook@katten.com>

Cc: Peter Stroili <pstroili@kdvlaw.com>; Matthew Lee <mlee@kdvlaw.com>

Subject: State Farm v. Metro Pain

EXTERNAL EMAIL – EXERCISE CAUTION

Chris, We received another supplemental document production from State Farm earlier today. Despite this, based on our review of what has been produced to date, it appears that State Farm has still not produced all of the responsive

documents it owes in response to our document demands. Please advise when you expect to complete production. Thank you. Kevin

Kevin Windels
Of Counsel



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